

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

10	BALSAS, LLC,)	Case No. CV 14-3196-UA (PJWx)
11	Plaintiff,)	[PROPOSED] ORDER SUMMARILY REMANDING
12	v.)	IMPROPERLY-REMOVED ACTION
13	JOSE PERALTA, ET AL.,)	
14	Defendants.)	
15)	

Before the Court is an unlawful detainer action that has been removed from the Los Angeles County Superior Court. For the following reasons, the case is summarily remanded to the Superior Court.

On April 25, 2014, Defendant Norma Gonzalez, having been sued in the Superior Court of Los Angeles in what appears to be a routine unlawful detainer action, removed the action to this court. Simply put, because Plaintiff could not have brought this action in federal court in the first place (because there is no subject matter jurisdiction), Defendant cannot remove it to this court. See 28 U.S.C. § 1441(a); and *Exxon Mobil Corp. v. Allapattah Svcs., Inc.*, 545 U.S. 546, 563 (2005). The case does not meet the requirements of 28 U.S.C. § 1331 because it does not raise a federal question. Further, there is no diversity jurisdiction under 28 U.S.C. §§ 1332 because,

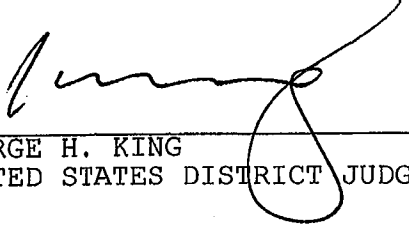
1 even if Defendant could establish that the parties are diverse, it is
2 clear from the Complaint that the amount in controversy is less than
3 \$10,000.

4 Accordingly, IT IS ORDERED that (1) pursuant to 28 U.S.C.
5 ~~§ 1447(c), this matter is REMANDED to the Superior Court of~~

6 California, County of Los Angeles, 275 Magnolia Avenue, Long Beach,
7 California 90802; (2) the clerk shall send a certified copy of this
8 Order to the state court; and (3) the clerk serve copies of the Order
9 on the parties.

10 IT IS SO ORDERED.

11 DATED: 5/7/14

12 
13 GEORGE H. KING
UNITED STATES DISTRICT JUDGE

14 Presented by:

15 
16 PATRICK J. WALSH
17 UNITED STATES MAGISTRATE JUDGE

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